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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN CERVANTES VASQUEZ,
ALBERTO GONZALEZ SALGADO, and
ISAAH ALBERTO SALGADO,

Defendants.

CASE NO. 2:20-CR-0193-DJC

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: August 31, 2023

TIME: 9:00 a.m.

COURT: Hon. Daniel J. Calabretta

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on August 31, 2023.

2. By this stipulation, defendants now move to continue the status conference until November 9, 2023, and to exclude time between August 31, 2023, and November 9, 2023, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case to date includes more than 5,539 pages of investigative reports, photographs, affidavits, and other documents, as well as video and audio recordings, as well as complete downloads of

1 approximately 17 seized cell phones. The cell phone downloads include extensive
2 communications, many of which are in the Spanish language, as well as other materials. All of
3 this discovery has been either produced directly to counsel and/or made available for inspection
4 and copying.

5 b) On August 4, 2023, the Court signed an Order substituting Attorney Dina L.
6 Santos as counsel of record for defendant Alberto Salgado. ECF No. 77.

7 c) Counsel for all defendants need additional time to review the discovery in this
8 case; to conduct independent factual investigation; to research trial and sentencing issues; to
9 consult with their clients; and to otherwise prepare for trial.

10 d) Counsel for defendants believe that failure to grant the above-requested
11 continuance would deny them the reasonable time necessary for effective preparation, taking into
12 account the exercise of due diligence.

13 e) The government does not object to the continuance.

14 f) Based on the above-stated findings, the ends of justice served by continuing the
15 case as requested outweigh the interest of the public and the defendant in a trial within the
16 original date prescribed by the Speedy Trial Act.

17 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
18 et seq., within which trial must commence, the time period of August 31, 2023 to November 9,
19 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
20 T4] because it results from a continuance granted by the Court at defendant's request on the basis
21 of the Court's finding that the ends of justice served by taking such action outweigh the best
22 interest of the public and the defendant in a speedy trial.

23 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
24 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
25 must commence.

26 IT IS SO STIPULATED.
27
28

1 Dated: August 27, 2023

PHILLIP A. TALBERT
United States Attorney

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3 /s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney

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5 Dated: August 27, 2023

/s/ Toni L. White
Toni L. White
Counsel for Defendant
MARTIN CERVANTES VASQUEZ

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7
8 Dated: August 27, 2023

/s/ Dina L. Santos
Dina L. Santos
Counsel for Defendant
ALBERTO GONZALEZ SALGADO

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10
11 Dated: August 27, 2023

/s/ David D. Fischer
David D. Fischer
Counsel for Defendant
ISAIAH ALBERTO SALGADO

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13 **FINDINGS AND ORDER**

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15 IT IS SO FOUND AND ORDERED this 29th day of August, 2023.

16
17 /s/ Daniel J. Calabretta
THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE